

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

AIRWAIR INTERNATIONAL, LTD.,

No. C-13-4312 EMC

Plaintiff,

v.

**ORDER GRANTING DEFENDANT'S
MOTION TO TRANSFER VENUE**

CELS ENTERPRISES, INC. *dba* CHINESE
LAUNDRY,

(Docket No. 19)

Defendant.

For the reasons stated on the record, the Court hereby **GRANTS** Cels's motion to transfer under 28 U.S.C. § 1404(a).

There is almost nothing which ties this case to this District other than the fact that Plaintiff filed suit here and has filed six similar suits against other Defendants. As stated at the hearing, AirWair is not a resident of this district, and hence its choice of forum is entitled to little deference. *Fieldturf USA, Inc. v. Blue Sky Int'l*, No. CIV S-11-2035 KJM-KJN, 2012 U.S. Dist. LEXIS 141871, at *8 (E.D. Cal. Sept. 30, 2012). As for the six additional cases that AirWair has pending in this District, there is nothing in the record to indicate these cases are likely to be consolidated or that there is a risk of inconsistent verdicts if they are not. The only benefit is the convenience to AirWair's counsel, but convenience of counsel is not considered for purposes of deciding whether a venue is convenient for the purposes of § 1404(a).” *Smith v. Aetna Life Ins. Co.*, No. C 11-2559 SI, 2011 WL 3904131, at *2 (N.D. Cal. Sept. 6, 2011).

While AirWair points to no evidence or witnesses in this district, Cels's principal place of business is in the Central District, and much of the critical evidence in this case will be found in the

1 Central District; Cels has identified four key witnesses who reside there. *See In re Funeral*
2 *Consumers Antitrust Litig.*, No. C 05-01804 WHA, 2005 U.S. Dist. LEXIS 48243, at *15 (N.D. Cal.
3 Sept. 23, 2005) (stating that, “[e]ven where a witness is an employee of a party and will be paid, the
4 disruption is still a hard fact[;] [t]he expenses of transportation, housing and meals, even if borne by
5 a party, are nonetheless authentic outlays”).


6 Accordingly, the Court grants Cels’s motion to transfer the case to the Central District of
7 California.

8 The Clerk of the Court is instructed to transfer this case to the Central District of California
9 and close the file in this case.

10 This order disposes of Docket No. 19.

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12 IT IS SO ORDERED.

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14 Dated: March 10, 2014

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EDWARD M. CHEN
United States District Judge
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